

Message Text

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ACTION EB-08

INFO OCT-01 EA-10 ISO-00 CAB-02 CIAE-00 COME-00
DODE-00 DOTE-00 INR-10 NSAE-00 FAA-00 L-03 SS-15
NSC-05 /054 W
-----025821 150313Z /64
P 150224Z APR 78
FM AMEMBASSY TOKYO
TO SECSTATE WASHDC PRIORITY 7096

C O N F I D E N T I A L SECTION 01 OF 02 TOKYO 06539

E.O. 11652: GDS
TAGS: EAIR, JA
SUBJECT: CIVAIR: PRESENTATION OF AIDE MEMOIRE

REF: STATE 93128

SUMMARY: AIDE MEMOIRE PRESENTED TO MOFA OFFICIAL
WHO MADE SEVERAL FORTHRIGHT COMMENTS. WRITTEN
REPLY MIGHT BE FORTHCOMING ALTHOUGH EMBOFF
STATED THIS WAS NOT EXPECTED NOR NECESSARY.
END SUMMARY.

1. EMBOFF PRESENTED AIDE MEMOIRE TO MOFA'S FIRST
N.A. DIV DIR WATANABE ON APRIL 13. EMBOFF TERMED
THE DOCUMENT A MEMORANDUM FOR THE RECORD SETTING
FORTH THE U.S. VIEWS ON SEVERAL ISSUES DISCUSSED
DURING THE MARCH TALKS. ORALLY, EMBOFF NOTED
THAT, WHILE WE APPRECIATE THE PHYSICAL CONSTRAINTS
AT JAPAN'S AIRPORTS, WE WOULD ESPECIALLY HOPE
THAT, PENDING RESUMPTION OF THE REVISION TALKS
IN THE FALL, THE GOJ WOULD APPROVE NW'S ADDITIONAL
FLIGHTS TO CHICAGO AND BE AS FORTHCOMING AS
POSSIBLE IN FINDING SLOTS FOR WHATEVER SUPPLE-
MENTAL CHARTERS MIGHT BE OPERATED. EMBOFF ALSO
INDICATED IT WAS QUITE PROBABLE THAT U.S. MIGHT
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PURSUE THE ISSUE OF SPECIFIC LOW FARE FILINGS
DURING THE INTERVENING SUMMER MONTHS.

2. WATANABE TOOK NOTE OF THE FORMAL U.S. POSITIONS
EXPRESSED IN THE AIDE MEMOIRE AND THEN MADE
SEVERAL COMMENTS. REGARDING THE 1959 MINUTE,
HE REITERATED THE GOJ'S FORMAL POSITION EXPRESSED

BY DEFORMIN TAKASHIMA AT THE CLOSE OF THE MARCH TALKS THAT IT WILL BE EXTREMELY DIFFICULT TO INCREASE FREQUENCIES OWING TO PHYSICAL CONSTRAINTS AT JAPANESE AIRPORTS. RE SUPPLEMENTALS HE NOTED, FOR THE RECORD, THAT THE GOJ IS NOT UNDER ANY LEGAL OBLIGATION RE THEIR OPERATIONS AND THAT ANY DIFFICULTIES COULD NOT BE TERMED A VIOLATION OF ANY ARRANGEMENT OR A BREACH OF FAITH.

3. RE THE NW LOW FARE PROPOSAL, WATANABE EXPRESSED THE PERSONAL OPINION THAT IT WOULD PROBABLY BE TURNED DOWN ON THE BASIS OF NW'S NOT HAVING SUFFICIENTLY CONSULTED WITH OTHER CARRIERS. HE STATED THAT IT IS "UNREALISTIC" TO EXPECT THE GOJ TO APPROVE SUCH A FARE WHEN JAL IS NOT FLYING THE ROUTE, PARTICULARLY OWING TO THE PASSENGER DIVERSION THAT COULD OCCUR FROM OTHER JAL FLIGHTS.

4. RE FIFTH FREEDOM, WATANABE REITERATED GOJ POSITION THAT ITS "ABUSE" IS AN "IMMEDIATE ISSUE." HE STATED THAT THE GOJ WOULD NOT TAKE ANY ARBITRARY" ACTIONS BUT COULD TAKE WHAT IT WOULD REGARD AS "LEGITIMATE" ACTION. REGARDING CARGO HANDLING, WATANABE INDICATED THE JAPANESE POSITION ON THE MATTER HAD NOT

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CHANGED; I.E., IT REMAINS A MATTER BETWEEN FTL AND THE CUSTOMS AUTHORITIES (MOF). HE ALSO STATED THAT IF THE U.S. SIDE CONTINUED TO BE DISSATISFIED WITH THE PROPOSED USER CHARGES AT NARITA THE MATTER SHOULD BE PURSUED ON A MULTI-LATERAL BASIS AT IATA.

5. WATANABE NOTED THE U.S. POSITION ON MULTI-DESIGNATION BUT STATED FRANKLY THAT IF THERE WERE TO BE ANY FORMAL APPLICATION FOR A NEW AIRLINE WITHIN THE "NEAR FUTURE" IT WOULD "COMPLICATE AND ADVERSELY DAMAGE THE ATMOSPHERE" PENDING RESUMPTION OF THE REVISION TALKS. HE STRESSED THAT IF THE U.S. WERE TO ENFORCE THIS RIGHT, THE JAPANESE PUBLIC WOULD PERCEIVE IT AS AN "EXPANSION OF THE UNEQUAL NATURE OF THE AIR AGREEMENT." THE JAPANESE SIDE "ASSUMED THAT THERE WOULD BE A DEGREE OF RESTRAINT FROM THE ADMINISTRATION ON THIS PARTICULAR MATTER." INFORMALLY, HE RECALLED THE DIFFICULTIES OF THE SAIPAN ROUTE CASE.

6. WATANABE REQUESTED THAT WE NOTE HE HAD REPLIED IN A "BLUNT AND STRONG" MANNER. HE ASKED WHETHER A WRITTEN REPLY WAS EXPECTED; EMBOFF SAID THAT AN ANSWERING DOCUMENT WAS NEITHER EXPECTED NOR NECESSARY. TWO PARTIES AGREED THAT, IN TERMS OF "HARMONIOUS AND PEACEFUL" RELATIONS REFERRED TO BY TAKASHIMA AND IN AIDE MEMOIRE, IT MIGHT BE BEST IF MOFA DID NOT REPLY IN WRITING. WATANABE, HOWEVER, RESERVED THE RIGHT TO DO SO.

7. FYI: ONE ISSUE UNDERSTANDABLY NOT COVERED IN AIDE MEMOIRE IS SECOND POINT FOR CONTINENTAL AIRLINES. LOCAL CONTINENTAL REP IS UNDER

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IMPRESSION THAT THIS MATTER WILL BE PURSUED BEFORE FALL REVISION TALKS; EMBOFF IS NOT SURE. WOULD APPRECIATE RECEIVING WASHINGTON'S THINKING ON THIS MATTER.

8. COMMENT: WATANABE'S REPLIES DEMONSTRATE THAT GOJ POSITIONS HAVE NOT SOFTENED; IT APPEARS, HOWEVER, THAT MOFA WILL MAKE HONEST ATTEMPT TO WORK WITH US TO KEEP CIVAIR TEMPERATURE AT A REASONABLE LEVEL DURING HOT SUMMER MONTHS.

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Disposition Approved on Date:
Disposition Case Number: n/a
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Disposition Date: 20 Mar 2014
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